



IPW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

Clark R. Baker Jr.

Serial No.: 10/796,559

Filed: March 8, 2004

For: SELECTION OF ENSEMBLE
AVERAGING FOR A PULSE
OXIMETER BASED ON SIGNAL
QUALITY METRICS

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Group Art Unit: 3736

Examiner: Unassigned

Atty Docket: TYHC:0150/FLE
P0424R

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

CERTIFICATE OF MAILING
37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, Mail Stop Amendment, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

July 20, 2005

Date

Michael G. Fletcher

Sir:

**INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 C.F.R. §§ 1.97(d) AND 1.98**

In compliance with the duty of disclosure under 37 C.F.R. § 1.56(a), it is respectfully requested that this Information Disclosure Statement be entered and that the listed references be considered by the Examiner and made of record. Applicants note that, due to recent amendments to 37 C.F.R. § 1.98(a), copies of the listed domestic references are no longer required to be submitted to the Examiner.

In accordance with 37 C.F.R. § 1.97, this Information Disclosure Statement is not to be construed as a representation that a search has been made, as an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b), or as a representation that no other possibly material information, as defined in 37 C.F.R. § 1.56(b), exists.

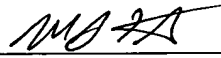
Furthermore, the references listed on the attached PTO/SB/08A Form are not to be construed as an admission that these references qualify as prior art as to the above-referenced application or any related application. Rather, these references are being presented for the Examiner's consideration without prejudice to the right to demonstrate that any of these references do not qualify as prior art should the Examiner choose to apply any of these references.

The following information is listed below in accordance with 37 C.F.R. §1.98. Any explanation of non-English language documents contained in this Information Disclosure Statement is believed to constitute a concise explanation of the relevance of the listed reference as it is presently understood by the individual designated in § 1.56(c) most knowledgeable about the content of the listed reference, in accordance with 37 C.F.R. § 1.98(a)(3).

Applicants believe this Information Disclosure Statement is properly filed in accordance with 37 C.F.R. § 1.97(b). Consequently, no fee is believed due with this Information Disclosure Statement. However, the Commissioner is authorized to charge any requisite fee for this Information Disclosure Statement, and any additional fee which may be required, to Deposit Account No. 06-1315; Order No. TYHC:0150/FLE.

Respectfully submitted,

Date: July 20, 2005



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(Use as many sheets as necessary)

Sheet

of

Application Number	10/796,559
Filing Date	03/8/ 2004
First Named Inventor	Clark Baker Jr.
Art Unit	3736
Examiner Name	Unassigned
Attorney Docket Number	TYHC:0150 (P0424R)

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- ☐ Response to Office Action dated _____ ☐ Final Rejection
- ☒ Other _____ IDS: PTO-1449; Cited references _____
- ☐ Assignment enclosed ☒ Cert. Of Timely Mailing ☐ Express Mail

Identification of Application:

Serial No. 10/796,559

Title Selection of Ensemble Averaging Weights for
a Pulse Oximeter Based on Signal Quality Metrics

Applicant Clark Baker

Client Nellcor Puritan Bennett

File No. TYHC:0150 (P0424R) Attorney FLE

Mailed 7/20/05 Filed 3/8/04 Due Date _____